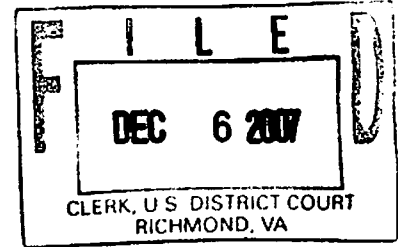


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



DONTE J. PITT,

Petitioner,

v.

Civil Action No. **3:07CV584**

PATRICIA STANSBERRY,

Respondent.

MEMORANDUM OPINION

Petitioner is currently serving a three-hundred month term of imprisonment for drug and firearm offenses imposed by the United States District Court for the District of Maryland (hereinafter "the Sentencing Court"). The Sentencing Court previously denied a 28 U.S.C. § 2255 motion filed by Petitioner. Petitioner submitted a petition for a writ of habeas corpus under 28 U.S.C. § 2241 wherein he challenged his conviction for use of firearm during a drug trafficking offense. By Memorandum Opinion and Order entered on November 7, 2007, the Court dismissed the action because it lacked jurisdiction to entertain such an action because it was in essence a successive 28 U.S.C. § 2255 motion. Petitioner has requested that the Court alter the dismissal of his action to a dismissal without prejudice or hold a decision in abeyance until after the Supreme Court issues its decision in *Watson v. United States*, 127 S. Ct. 1371 (2007). Petitioner's motion to alter or amend the prior decision will be DENIED. Petitioner is free to refile his action after the Supreme Court enters its decision in *Watson*.

An appropriate Order shall issue.

Date: DEC 06 2007
Richmond, Virginia

/s/
Richard L. Williams
United States District Judge

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Richard L. Williams
United States District Judge